

7-20-07

Attorney Docket Number: 24852-501 CIP

*Iwamoto*



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICANTS: Miller, *et al.*

CONFIRMATION NUMBER: 8627

SERIAL NUMBER: 10/600,132

EXAMINER: Yevgeny Valenrod

FILING DATE: June 19, 2003

ART UNIT: 1621

FOR: **POLYMORPHS OF SUBEROYLANILIDE HYDROXAMIC ACID**

**MAIL STOP AMENDMENT**

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

**TRANSMITTAL LETTER**

Transmitted herewith for filing in the present application are the following:

1. Supplemental Information Disclosure Statement (2 pages), in duplicate;
2. Modified Form 1449/PTO (1 page), in duplicate;
3. Cited References C140-C141;
4. Check Number 3914 in the amount of \$180.00; and
5. Return Postcard.

If the enclosed papers are considered incomplete, the Mail Room and/or the Application Branch is respectfully requested to contact the undersigned at (212) 935-3000.

The Commissioner is authorized to charge any fees that may be due to the undersigned's account, Deposit Account No. **50-0311** Reference No. **24852-501 CIP**. Please address all correspondence to Customer No. **35437**. A duplicate copy of this transmittal letter is enclosed herewith.

Respectfully submitted,

Dated: July 18, 2007

*Michelle A. Iwamoto*

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**SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT**

Pursuant to the duty of disclosure under 37 C.F.R. §§1.56, 1.97 and 1.98, Applicants hereby make of record the documents listed on the attached modified Form PTO-1449 (submitted in duplicate) in the above-identified application, copies of which are submitted herewith.

This Supplemental Information Disclosure Statement is being filed after mailing of a First Action on the merits but before mailing of any Final Action or Notice of Allowance under 37 C.F.R. §§1.113 or 1.311, respectively. Accordingly, the fee of \$180 as set forth in 37 C.F.R. §1.17(p) is enclosed.

It is respectfully requested that the Examiner consider completely the cited information, along with any other information, in reaching a determination concerning the patentability of the present claims. It is also respectfully requested that the Examiner initial, sign and date, and return a copy of the signed modified Form PTO-1449 with the next U.S. PTO communication, to evidence that the cited information has been fully considered by the U.S. Patent and Trademark Office during the examination of this application.

by the U.S. Patent and Trademark Office

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Applicants: Miller, *et al.*  
U.S.S.N.: 10/600,132  
Express Mail Label No.: EV942367395US  
Date of Deposit: July 18, 2007

Attorney Docket Number: 24852-501 CIP

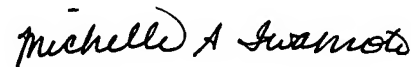
By submitting this Supplemental Information Disclosure Statement, the Applicants make no representation that: (1) a search has been performed, the extent of any search performed, or that more relevant information does not exist; (2) the information cited in the Statement is, or is considered to be, material to patentability as defined in 37 C.F.R. §1.56(b); and (3) the information cited in the Statement is, or is considered to be, in fact, prior art as defined by 35 U.S.C. §102.

The order of presentation of the references should not be construed as an indication of the importance of the references. The Examiner is urged to form his/her own conclusion regarding the relevance of the cited information.

Please charge any fees that may be due, or credit any overpayment of same, to Deposit Account No. **50-0311**, Reference No. **24852-501 CIP**, Customer No. **35437**.

Respectfully submitted,

Dated: July 18, 2007



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PTO/SB (12-97)  
OMB 0651-0031

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<b>SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT BY APPLICANT</b>  (use as many sheets as necessary)	Application Number	10/600,132
	Filing Date	June 19, 2003
	First Named Inventor	Miller
	Group Art Unit / Conf. No.:	1621 / 8627
	Examiner Name	Yevgeny Valenrod
	Attorney Docket Number	24852-501 CIP

U.S. PATENT DOCUMENTS							
Exam Initials	Cite No.	U.S. Patent Document No.	Issue Date	Name of Patentee(s) or Applicant(s)	Class	Sub Class	Filing Date

FOREIGN PATENT DOCUMENTS					
Exam Initials	Cite No.	Foreign Patent Document Office Number	Name of Patentee(s) or Applicant(s)	Date of Publication	English Yes No

NON PATENT LITERATURE DOCUMENTS		
Exam Initials	Cite No.	Name of Author, Title (when appropriate), Publication, Volume, Page(s), Date, Etc.
	C140	Phase I clinical trial of oral suberoylanilide hydroxamic acid - SAHA (msk390) in patients with advanced solid tumors and hematologic malignancies; first patient dosed in August 2001 at Memorial Sloan Kettering Cancer Center. SAHA gelatin capsules containing SAHA and excipients were administered to patients. The SAHA was prepared according to methods in Example 1 of U.S. application 10/379,149.
	C141	Copy of February 2, 2007 Office Action in USSN 10/379,149.

\*a copy of this reference is not provided as it was previously cited by or submitted to the office in a prior application, Serial No. \_\_\_\_\_, filed \_\_\_\_\_, and relied upon for an earlier filing date under 35 U.S.C. §120 (continuation, continuation-in-part, and divisional applications).

Examiner Signature		Date Considered	
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EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609; Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.